

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PUBLIC NOTICE OF INFORMATIONAL HEARING AND INTENT TO REISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT No. WI-0020559-08-0

Permittee: Sussex Village, N64 W23760 Main St, Sussex, WI, 53089

Facility Where Discharge Occurs: Sussex Wastewater Treatment Facility, N59 W23559 Clover Dr

Receiving Water And Location: Spring (Sussex) Creek (Upper Fox (IL) Watershed, Fox (IL) River Basin) in Waukesha County

Brief Facility Description: The Village of Sussex operates a 5.1 MGD wastewater treatment plant with a design capacity of 6,790 lbs/day BOD. The plant serves approximately 15,900 people and 2 significant industries including the Village of Sussex; the Village of Lannon; a portion of the Village of Menomonee Falls; and the Lisbon Sanitary District. The plant has a mechanical bar screen, grit removal, a 3-ring extended aeration (Orbal) oxidation ditch, three final clarifiers, four tertiary anthracite filters, and seasonal disinfection with ultraviolet light. Polyaluminum chloride is added at the central ring of the ditch for phosphorus removal. Effluent is discharged to the east bank of Spring (Sussex) Creek, southwest of the treatment facility. Spring Creek (WBIC 773400) is known locally as Sussex Creek. In previous permits, the receiving water was identified as Sussex Creek, however, the current permit references Spring Creek to align with the official waterbody name as listed in the Department's Register of Waterbodies. Waste sludge from clarifiers is pumped into the gravity thickener and then to a sludge storage tank. Biosolids are land applied onto Department approved agricultural fields. The Department has found the facility to be in substantial compliance with the current permit.

Permit Drafter's Name, Address, Phone and Email: Lisa Creegan, WI DNR, 2300 N Dr Martin Luther King Jr Dr, Milwaukee, WI, 53212, (414) 263-8701, Lisa.Creegan@wisconsin.gov

Basin Engineer's Name, Address, Phone and Email: Nicholas Lent, WI DNR, 2300 N Dr Martin Luther King Jr Dr, Milwaukee, WI 53212, (414) 263-8623, Nicholas.Lent@Wisconsin.gov

The Department has tentatively decided that the above specified WPDES permit should be reissued.

Proposed Chloride Variance: The Department has determined that a water quality-based effluent limitation (WQBEL) for chloride is needed in this permit to protect aquatic life. As allowed under s. NR 106.83(2), Wis. Adm. Code, the permittee has requested a variance to the chloride WQBEL. In support of this request, the permittee has submitted documentation intended to demonstrate that the cost of complying with the WQBEL through the use of end-of-pipe wastewater treatment may cause substantial and widespread adverse social and economic impacts in the area where the discharger is located. The Department concurs with that assessment; however, this concurrence is subject to USEPA approval before the variance limit may be included in the final reissued permit. In an effort to achieve chloride effluent reductions that are practically and economically achievable within the term of the proposed permit, the Department and the permittee have mutually agreed upon specific permit terms that include an interim limitation, a target limit (or value, as the case may be), and certain source reduction activities. As allowed under s. NR 106.83(3), Wis. Adm. Code, these requirements are contained in the proposed permit.

Dissipative Cooling: The department may account for dissipative cooling of the permittee's treated domestic sewage effluent in determining the need for sub-lethal temperature limits pursuant to s. NR 106.59, Wis. Adm. Code. Based on the department's evaluation it has been determined that sub-lethal effluent limits for temperature are not necessary because the permittee's effluent thermal load is adequately dissipated.

Hearing Date, Time, and Location: Tuesday, November 5<sup>th</sup>, 2019, 10:00am, DNR Waukesha Service Center, 141 NW Barstow Street, Room #163, Waukesha, WI, 53188

Hearing Officer, Name, Address, City/State/Zip and Phone: Lisa Creegan, WI DNR, 2300 N Doctor Martin Luther King, Jr. Dr., Milwaukee, WI 53212, (414) 263-8701

The Department of Natural Resources, pursuant to Section 283.49, Wisconsin Statutes, has scheduled for the time and place listed above, a public hearing for the purpose of giving all interested persons an opportunity to make a statement with respect to the above announced permit action for this existing discharge.

A hearing officer will conduct the hearing in an orderly and speedy way and will use procedures specified in Subchapter II of ch. NR 203, Wis. Adm. Code, necessary to insure broad public participation in the hearing.

The hearing officer will open the hearing and make a concise statement of the scope and purpose of the hearing and shall state what procedures will be used during the course of the hearing. The hearing officer shall explain the method of notification of the final decision to grant or deny the permit and the methods by which the decision may be reviewed in a public adjudicatory hearing.

The hearing officer may put limits on individual oral statements to insure an opportunity for all persons present to make statements in a reasonable period of time and to prevent undue repetition. The hearing officer may also limit the number of representatives making oral statements on behalf of any person or group.

Informational and clarifying questions and oral statements shall be directed through the hearing officer. Cross-examination shall not be allowed.

Persons wishing to comment on or object to the proposed permit action are invited to do so by attending the public hearing or by submitting any comments or objections in writing to the Department of Natural Resources, at the above-named permit drafter's address. All comments or suggestions received from members of the public no later than 7 days following the date of this public hearing will be used, along with other information on file and testimony presented at the hearing, in making a final determination. Where designated as a reviewable surface water discharge permit, the U.S. Environmental Protection Agency is allowed up to 90 days to submit comments or objections regarding this permit determination.

Information on file for this permit action, including the draft permit, fact sheet and permit application, may be inspected and copied at either the above-named permit drafter's office or the above-named basin engineer's office, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Please call the permit drafter or basin engineer for directions to their office location, if necessary. Information on this permit action may also be obtained by calling the permit drafter at (414) 263-8701 or by writing to the Department. Reasonable costs (15 cents per page for copies and 7 cents per page for scanning) will be charged for information in the file other than the public notice, permit and fact sheet. Permit information is also available on the internet at: <http://dnr.wi.gov/topic/wastewater/PublicNotices.html>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

Name of Publishing Newspaper: Waukesha Freeman

Address of Publishing Newspaper: 801 N Barstow, PO Box 7, Wauskesha , WI 53187-0007

Date Notice Issued: Thursday, September 12, 2020